

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 422

By: Dugger of the Senate

and

West (Kevin) of the House

8
9
10 COMMITTEE SUBSTITUTE

11 An Act relating to the Oklahoma Accountancy Board;
12 amending 59 O.S. 2011, Sections 15.1A, as amended by
13 Section 1, Chapter 60, O.S.L. 2015, 15.2, as amended
14 by Section 1, Chapter 55, O.S.L. 2014, 15.10A, 15.14
15 and 15.14A (59 O.S. Supp. 2018, Sections 15.1A and
16 15.2), which relate to definitions, qualifications,
17 examinations, registration, and permits; modifying
18 definition; making application fee nonrefundable;
19 modifying language; expanding reinstatement license
20 fee; increasing permit fee; updating statutory
21 reference; providing an effective date; and declaring
22 an emergency.

23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

24 SECTION 1. AMENDATORY 59 O.S. 2011, Section 15.1A, as
amended by Section 1, Chapter 60, O.S.L. 2015 (59 O.S. Supp. 2018,
Section 15.1A), is amended to read as follows:

Section 15.1A As used in the Oklahoma Accountancy Act:

1 1. "Accountancy" means the profession or practice of
2 accounting;

3 2. "AICPA" means the American Institute of Certified Public
4 Accountants;

5 3. "Applicant" means an individual or entity that has made
6 application to the Board for a certificate, license, or permit and
7 said application has not been approved;

8 4. "Assurance" means independent professional services that
9 improve the quality of information, or its context, for decision
10 makers;

11 5. "Attest" means providing the following services:

12 a. any audit or other engagement to be performed in
13 accordance with the Statements on Auditing Standards
14 (SAS),

15 b. any review of a financial statement to be performed in
16 accordance with the Statements on Standards for
17 Accounting and Review Services (SSARS),

18 c. any engagement performed in accordance with the
19 Statements on Standards for Attestation Engagements
20 (SSAE), and

21 d. any engagement to be performed in accordance with the
22 Auditing Standards of the Public Company Accounting
23 Oversight Board (PCAOB).

24

1 The statements on standards specified in this definition shall
2 be adopted by reference by the Board pursuant to rulemaking and
3 shall be those developed for general application by recognized
4 national accountancy organizations, such as the AICPA, IFAC and the
5 PCAOB;

6 6. "Audit" can only be performed by an individual or entity who
7 is registered with the Board and holding a valid permit issued
8 pursuant to the Oklahoma Accountancy Act, or an individual granted
9 practice privileges under Section 15.12A of this title, and means a
10 systematic investigation or appraisal of information, procedures, or
11 operations performed in accordance with generally accepted auditing
12 standards in the United States, for the purpose of determining
13 conformity with established criteria and communicating the results
14 to interested parties;

15 7. "Board" means the Oklahoma Accountancy Board;

16 8. "Candidate" means an individual who has been qualified and
17 approved by the Board to take an examination for a certificate or
18 license;

19 9. "Certificate" means the Oklahoma document issued by the
20 Board to a candidate upon successful completion of the certified
21 public accountant examination designating the holder as a certified
22 public accountant pursuant to the laws of Oklahoma. "Certificate"
23 shall also mean the Oklahoma document issued by reciprocity to an
24

1 individual who has previously been certified in another
2 jurisdiction;

3 10. "Certified public accountant" means any person who has
4 received a certificate from the Board or other jurisdictions;

5 11. "Client" means the individual or entity which retains a
6 registrant, an individual granted practice privileges under Section
7 15.12A of this title, or a firm exempt from the permit and
8 registration requirements under Section 15.15C of this title to
9 perform professional services;

10 12. "Compilation" when used with reference to financial
11 statements, means presenting information in the form of financial
12 statements which is the representation of management or owners
13 without undertaking to express any assurance on the statements;

14 13. "CPA" or "C.P.A." means certified public accountant;

15 14. "Designated manager" means the ~~individual domiciled in~~
16 ~~Oklahoma and~~ Oklahoma certified public accountant or public
17 accountant appointed by the firm partners or shareholders to be
18 responsible for the administration of the office;

19 15. "Designee" means the National Association of State Boards
20 of Accountancy (NASBA) or other entities so designated by the Board;

21 16. "Entity" means an organization whether for profit or not,
22 recognized by the State of Oklahoma to conduct business;

23 17. "Examination" means the test sections of Auditing and
24 Attestation, Business Environment and Concepts, Financial Accounting

1 and Reporting, and Regulation or their successors, administered,
2 supervised, and graded by, or at the direction of, the Board or
3 other jurisdiction that is required for a certificate as a certified
4 public accountant or a license as a public accountant;

5 18. "Executive director" means the chief administrative officer
6 of the Board;

7 19. "Financial statements" means statements and footnotes
8 related thereto that undertake to present an actual or anticipated
9 financial position as of a point in time, or results of operations,
10 cash flow, or changes in financial position for a period of time, in
11 conformity with generally accepted accounting principles or another
12 comprehensive basis of accounting. The term does not include
13 incidental financial data included in management advisory service
14 reports to support recommendations to a client; nor does it include
15 tax returns and supporting schedules;

16 20. "Firm" means an entity that is either a sole
17 proprietorship, partnership, professional limited liability company,
18 professional limited liability partnership, limited liability
19 partnership or professional corporation, or any other professional
20 form of organization organized under the laws of the State of
21 Oklahoma or the laws of another jurisdiction and issued a permit in
22 accordance with Section 15.15A of this title or exempt from the
23 permit requirement under Section 15.15C of this title, including
24 individual partners or shareholders, that is engaged in accountancy;

1 21. "Holding out" means any representation by an individual
2 that he or she holds a certificate or license and a valid permit, or
3 by an entity that it holds a valid permit. Any such representation
4 is presumed to invite the public to rely upon the professional
5 skills implied by the certificate or license and valid permit in
6 connection with the services or products offered;

7 22. "Home office" means the location specified by the client as
8 the address to which a service described in Section 15.12A of this
9 title is directed;

10 23. "IFAC" means the International Federation of Accountants;

11 24. "Individual" means a human being;

12 25. "Jurisdiction" means any state or territory of the United
13 States and the District of Columbia;

14 26. "License" means the Oklahoma document issued by the Board
15 to a candidate upon successful completion of the public accountant
16 examination designating the holder as a public accountant pursuant
17 to the laws of Oklahoma. "License" shall also mean the Oklahoma
18 document issued by the Board by reciprocity to a public accountant
19 who has previously been licensed by examination in another
20 jurisdiction;

21 27. "Management advisory services", also known as "management
22 consulting services", "management services", "business advisory
23 services" or other similar designation, hereinafter collectively
24 referred to as "MAS", means the function of providing advice and/or

1 technical assistance, performed in accordance with standards for MAS
2 engagements and MAS consultations such as those issued by the
3 American Institute of Certified Public Accountants, where the
4 primary purpose is to help the client improve the use of its
5 capabilities and resources to achieve its objectives including but
6 not limited to:

- 7 a. counseling management in analysis, planning,
8 organizing, operating, risk management and controlling
9 functions,
- 10 b. conducting special studies, preparing recommendations,
11 proposing plans and programs, and providing advice and
12 technical assistance in their implementation,
- 13 c. reviewing and suggesting improvement of policies,
14 procedures, systems, methods, and organization
15 relationships, and
- 16 d. introducing new ideas, concepts, and methods to
17 management.

18 MAS shall not include recommendations and comments prepared as a
19 direct result of observations made while performing an audit,
20 review, or compilation of financial statements or while providing
21 tax services, including tax consultations;

22 28. "NASBA" means the National Association of State Boards of
23 Accountancy;

24 29. "PA" or "P.A." means public accountant;

1 30. "Partnership" means a contractual relationship based upon a
2 written, oral, or implied agreement between two or more individuals
3 who combine their resources and activities in a joint enterprise and
4 share in varying degrees and by specific agreement in the management
5 and in the profits or losses. A partnership may be general or
6 limited as the laws of this state define those terms;

7 31. "PCAOB" means the Public Company Accounting Oversight
8 Board;

9 32. "Peer Review" means a review performed pursuant to a set of
10 peer review rules established by the Board. The term "peer review"
11 also encompasses the term "quality review";

12 33. "Permit" means the written authority granted annually by
13 the Board to individuals or firms to practice public accounting in
14 Oklahoma, which is issued pursuant to the Oklahoma Accountancy Act;

15 34. a. "Practice of public accounting", also known as
16 "practice public accounting", "practice" and "practice
17 accounting", refers to the activities of a registrant,
18 an individual granted practice privileges under
19 Section 15.12A of this title, or a firm exempt from
20 the permit and registration requirements under Section
21 15.15C of this title in reference to accountancy. An
22 individual or firm shall be deemed to be engaged in
23 the practice of public accounting if the individual or
24 firm holds itself out to the public in any manner as

1 one skilled in the knowledge, science, and practice of
2 accounting and auditing, taxation and management
3 advisory services and is qualified to render such
4 professional services as a certified public accountant
5 or public accountant, and performs the following:

6 (1) maintains an office for the transaction of
7 business as a certified public accountant or
8 public accountant,

9 (2) offers to prospective clients to perform or who
10 does perform on behalf of clients professional
11 services that involve or require an audit,
12 verification, investigation, certification,
13 presentation, or review of financial transactions
14 and accounting records or an attestation
15 concerning any other written assertion,

16 (3) prepares or certifies for clients reports on
17 audits or investigations of books or records of
18 account, balance sheets, and other financial,
19 accounting and related schedules, exhibits,
20 statements, or reports which are to be used for
21 publication or for the purpose of obtaining
22 credit, or for filing with a court of law or with
23 any governmental agency, or for any other
24 purpose,

- 1 (4) generally or incidentally to the work described
2 herein, renders professional services to clients
3 in any or all matters relating to accounting
4 procedure and to the recording, presentation, or
5 certification of financial information or data,
6 (5) keeps books, or prepares trial balances,
7 financial statements, or reports, all as a part
8 of bookkeeping services for clients,
9 (6) prepares or signs as the tax preparer, tax
10 returns for clients, consults with clients on tax
11 matters, conducts studies for clients on tax
12 matters and prepares reports for clients on tax
13 matters, unless the services are uncompensated
14 and are limited solely to the registrant's, or
15 the registrant's spouse's lineal and collateral
16 heirs,
17 (7) prepares personal financial or investment plans
18 or provides to clients products or services of
19 others in implementation of personal financial or
20 investment plans, or
21 (8) provides management advisory services to clients.
22 b. Except for an individual granted practice privileges
23 under Section 15.12A of this title or a firm exempt
24 from the permit and registration requirements under

1 Section 15.15C of this title, an individual or firm
2 not holding a certificate, license or permit shall not
3 be deemed to be engaged in the practice of public
4 accounting if the individual or firm does not hold
5 itself out, solicit, or advertise for clients using
6 the certified public accountant or public accountant
7 designation and engages only in the following
8 services:

- 9 (1) keeps books, or prepares trial balances,
10 financial statements, or reports, provided such
11 instruments do not use the terms "audit",
12 "audited", "exam", "examined", "review" or
13 "reviewed" or are not exhibited as having been
14 prepared by a certified public accountant or
15 public accountant. Except for an individual
16 granted practice privileges under Section 15.12A
17 of this title or a firm exempt from the permit
18 and registration requirements under Section
19 15.15C of this title, nonregistrants may use the
20 following disclaimer language in connection with
21 financial statements and be in compliance with
22 the Oklahoma Accountancy Act: "I (we) have not
23 audited, examined or reviewed the accompanying
24 financial statements and accordingly do not

1 express an opinion or any other form of assurance
2 on them.",

3 (2) prepares or signs as the tax preparer, tax
4 returns for clients, consults with clients on tax
5 matters, conducts studies for clients on tax
6 matters and prepares reports for clients on tax
7 matters,

8 (3) prepares personal financial or investment plans
9 or provides to clients products or services of
10 others in implementation of personal financial or
11 investment plans, or

12 (4) provides management advisory services to clients.

13 c. Only permit holders, individuals granted practice
14 privileges under Section 15.12A of this title, or
15 firms exempt from the permit and registration
16 requirements under Section 15.15C of this title may
17 render or offer to render any attest service, as
18 defined herein, or issue a report on financial
19 statements which purport to be in compliance with the
20 Statements on Standards for Accounting and Review
21 Services (SSARS). This restriction shall not prohibit
22 any act of a public official or public employee in the
23 performance of that person's duties. This restriction
24 shall not be construed to prohibit the performance by

1 any unlicensed individual of other services as set out
2 in subparagraph b of this paragraph.

3 d. A person is not deemed to be practicing public
4 accounting within the meaning of this section solely
5 by displaying an Oklahoma CPA certificate or a PA
6 license in an office, identifying himself or herself
7 as a CPA or PA on letterhead or business cards, or
8 identifying himself or herself as a CPA or PA.
9 However, the designation of CPA or PA on such
10 letterheads, business cards, public signs,
11 advertisements, publications directed to clients or
12 potential clients, financial or tax documents of a
13 client, performance of any attest service or issuance
14 of a report constitutes the practice of public
15 accounting and requires a permit, practice privileges
16 under Section 15.12A of this title, or an exemption
17 from the permit and registration requirements under
18 Section 15.15C of this title;

19 35. "Preissuance review" means a review performed pursuant to a
20 set of procedures that include review of engagement document,
21 report, and clients' financial statements in order to permit the
22 reviewer to assess compliance with all applicable professional
23 standards;

1 36. "Principal place of business" means the office location
2 designated by the licensee for the purposes of substantial
3 equivalency and reciprocity;

4 37. "Professional corporation" means a corporation organized
5 pursuant to the laws of this state;

6 38. "Professional" means arising out of or related to the
7 specialized knowledge or skills associated with CPAs or PAs;

8 39. "Public accountant" means any individual who has received a
9 license from the Board;

10 40. "Public interest" means the collective well-being of the
11 community of people and institutions the profession serves;

12 41. "Qualification applicant" means an individual who has made
13 application to the Board to qualify to become a candidate for
14 examination;

15 42. "Registrant" means a CPA, PA, or firm composed of certified
16 public accountants or public accountants or combination of both
17 currently registered with the Board pursuant to the authority of the
18 Oklahoma Accountancy Act;

19 43. "Report", when used with reference to any attest or
20 compilation service, means an opinion, report or other form of
21 language that states or implies assurance as to the reliability of
22 the attested information or complied financial statements, and that
23 also includes or is accompanied by any statement or implication that
24 the person or firm issuing it has special knowledge or competence in

1 accounting or auditing. Such a statement or implication of special
2 knowledge or competence may arise from use by the issuer of the
3 report of names or titles indicating that the person or firm is an
4 accountant or auditor, or from the language of the report itself.
5 The term "report" includes any form of language which disclaims an
6 opinion when such form of language is conventionally understood to
7 imply any positive assurance as to the reliability of the attested
8 information or compiled financial statements referred to and/or
9 special competence on the part of the person or firm issuing such
10 language; and it includes any other form of language that is
11 conventionally understood to imply such assurance and/or such
12 special knowledge or competence. This definition is not intended to
13 include a report prepared by a person not holding a certificate or
14 license or not granted practice privileges under Section 15.12A of
15 this title. However, such report shall not refer to "audit",
16 "audited", "exam", "examined", "review" or "reviewed", nor use the
17 language "in accordance with standards established by the American
18 Institute of Certified Public Accountants" or successor of said
19 entity, or governmental agency approved by the Board, except for the
20 Internal Revenue Service. Except for an individual granted practice
21 privileges under Section 15.12A of this title or a firm exempt from
22 the permit and registration requirements under Section 15.15C of
23 this title, nonregistrants may use the following disclaimer language
24 in connection with financial statements not to be in violation of

1 the Oklahoma Accountancy Act: "I (we) have not audited, examined,
2 or reviewed the accompanying financial statements and accordingly do
3 not express an opinion or any other form of assurance on them.";

4 44. "Representation" means any oral or written communication
5 including but not limited to the use of title or legends on
6 letterheads, business cards, office doors, advertisements, and
7 listings conveying the fact that an individual or entity holds a
8 certificate, license or permit;

9 45. "Review", when used with reference to financial statements,
10 means a registrant or an individual granted practice privileges
11 under Section 15.12A of this title, or a firm exempt from the permit
12 and registration requirements under Section 15.15C of this title
13 performing inquiry and analytical procedures that provide the
14 registrant with a reasonable basis for expressing limited assurance
15 that there are no material modifications that should be made to the
16 statements in order for them to be in conformity with generally
17 accepted accounting principles or, if applicable, with another
18 comprehensive basis of accounting; and

19 46. "Substantial equivalency" is a determination by the
20 Oklahoma Accountancy Board or its designee that:

21 a. the education, examination and experience requirements
22 contained in the statutes and administrative rules of
23 another jurisdiction are comparable to, or exceed, the
24 education, examination and experience requirements

1 contained in the AICPA/NASBA Uniform Accountancy Act,
2 or

3 b. that an individual certified public accountant's or
4 public accountant's education, examination and
5 experience qualifications are comparable to or exceed
6 the education, examination and experience requirements
7 contained in the Oklahoma Accountancy Act and rules of
8 the Board.

9 In ascertaining substantial equivalency as used in the Oklahoma
10 Accountancy Act, the Board or its designee shall take into account
11 the qualifications without regard to the sequence in which
12 experience, education, or examination requirements were attained.

13 SECTION 2. AMENDATORY 59 O.S. 2011, Section 15.2, as
14 amended by Section 1, Chapter 55, O.S.L. 2014 (59 O.S. Supp. 2018,
15 Section 15.2), is amended to read as follows:

16 Section 15.2 A. There is hereby re-created, to continue until
17 July 1, 2020, in accordance with the provisions of the Oklahoma
18 Sunset Law, the Oklahoma Accountancy Board. The Oklahoma
19 Accountancy Board shall have the responsibility for administering
20 and enforcing the Oklahoma Accountancy Act. The Oklahoma
21 Accountancy Board shall be composed of seven (7) members, who shall
22 have professional or practical experience in the use of accounting
23 services and financial matters, so as to be qualified to make
24 judgments about the qualifications and conduct of persons and firms

1 subject to regulation under ~~this act~~ the Oklahoma Accountancy Act to
2 be appointed by the Governor and confirmed by the Senate. The
3 number of registrant members shall not be more than six, not
4 including a firm, who shall serve terms of five (5) years. No
5 member who has served two successive complete terms shall be
6 eligible for reappointment, but an appointment to fill an unexpired
7 term shall not be considered a complete term for this purpose. The
8 public member shall serve coterminously with the Governor appointing
9 the public member.

10 B. One member shall be either a public accountant licensed and
11 holding a permit pursuant to the provisions of the Oklahoma
12 Accountancy Act, or a person with professional or practical
13 experience in the use of accounting services and financial matters
14 and who shall have met the educational requirements to qualify as a
15 candidate for examination for the license of public accountant as
16 provided in subsection B of Section 15.8 of this title. A list of
17 qualified persons shall be compiled and submitted to the Governor by
18 the Oklahoma Society of Public Accountants, or successor
19 organization from time to time as appointment of the Board member is
20 required to be made. A list of three names shall be submitted for
21 each single appointment from which the Governor may make the
22 appointment.

23 C. Five members shall be certified public accountants holding
24 certificates and four shall hold permits issued pursuant to the

1 provisions of the Oklahoma Accountancy Act, at least four of whom
2 shall have been engaged in the practice of public accounting as a
3 certified public accountant continuously for not less than five (5)
4 out of the last fifteen (15) years immediately preceding their
5 appointments. A list of qualified persons shall be compiled and
6 submitted to the Governor by the Oklahoma Society of Certified
7 Public Accountants from time to time as appointments of the
8 certified public accountant Board members are required. A list of
9 three names shall be submitted for each single appointment from
10 which the Governor may make the appointment.

11 D. One member shall be a public member who is not a certified
12 public accountant or licensed public accountant. The public member
13 shall be appointed by the Governor to a term coterminous with the
14 Governor. The public member shall serve at the pleasure of the
15 Governor.

16 E. Upon the expiration of the term of office, a member shall
17 continue to serve until a qualified successor has been appointed.
18 Confirmation by the Senate is required during the next regular
19 session of the Oklahoma Senate for the member to continue to serve.

20 SECTION 3. AMENDATORY 59 O.S. 2011, Section 15.10A, is
21 amended to read as follows:

22 Section 15.10A Each candidate shall pay fees, to be determined
23 by the Oklahoma Accountancy Board, not to exceed One Thousand
24 Dollars (\$1,000.00) for each examination.

1 An application fee, payable to the Board, shall be paid by the
2 candidate at the time the application for the examination is filed.
3 The application fee shall ~~not be refunded unless the Board~~
4 ~~determines that the candidate is unqualified to sit for the~~
5 ~~examination or for such other good causes as determined by the Board~~
6 ~~on a case-by-case basis~~ nonrefundable. Also, each candidate shall
7 pay test fees to the organizations designated by the Board to
8 provide a computer-based examination. In no event shall the total
9 fees paid by a candidate for each examination exceed One Thousand
10 Dollars (\$1,000.00).

11 SECTION 4. AMENDATORY 59 O.S. 2011, Section 15.14, is
12 amended to read as follows:

13 Section 15.14 A. In addition to obtaining a certificate or
14 license, certified public accountants and public accountants, unless
15 granted practice privileges under Section 15.12A of this title,
16 shall register with the Oklahoma Accountancy Board and pay a
17 registration fee.

18 B. ~~Until January 1, 2010, all valid certificates and licenses~~
19 ~~ending in an odd number shall expire on July 31 of each odd-numbered~~
20 ~~year. All valid certificates and licenses ending in an even number~~
21 ~~shall expire on July 31 of each even-numbered year. All such~~
22 ~~registrations shall expire on the last day of July and may be~~
23 ~~renewed for a period of two (2) years. The Board shall implement~~

24

1 ~~rules for the scheduling of expiration and renewal of certificates~~
2 ~~and licenses, including the prorating of fees.~~

3 ~~C.~~ After the initial registration, renewal of registrations
4 shall be accomplished by registrants in good standing upon filing of
5 the registration and upon payment of the registration fee. Interim
6 registration shall be at full rates.

7 ~~D. Effective January 1, 2010, all~~

8 C. All valid certificates or licenses shall be renewed ~~based on~~
9 ~~staggered expiration dates on~~ by the last day of the individuals'
10 birth months. Renewal will be effective for a twelve-month period.
11 The Board shall implement rules for the scheduling of expiration and
12 renewal of certificates and licenses, including the prorating of
13 fees.

14 ~~E.~~ D. Not less than thirty (30) calendar days before the
15 expiration of a valid certificate or license, written notice of the
16 expiration date shall be mailed to the individual holding the valid
17 certificate or license at the last-known address of such individual
18 according to the official records of the Board.

19 ~~F.~~ E. A certificate or license shall be renewed by payment of a
20 registration renewal fee set by the Board which shall not exceed Two
21 Hundred Dollars (\$200.00) for each two-year period.

22 1. Upon failure of an individual to pay registration fees on or
23 before the expiration date, the Board shall notify the individual in
24 writing by certified mail to the last known address of the

1 individual, as reflected in the records of the Board, of the
2 individual's failure to comply with the Oklahoma Accountancy Act.

3 2. A certificate or license granted under authority of the
4 Oklahoma Accountancy Act shall automatically be revoked if the
5 individual fails to pay registration fees within thirty (30) days
6 after the expiration date.

7 3. Any individual whose certificate or license is cancelled,
8 revoked for cause or automatically revoked by this provision may be
9 reinstated by the Board upon payment of:

10 a. a fee set by the Board which shall not exceed Three
11 Hundred Dollars (\$300.00) for a renewal within one (1)
12 year of the due date, or

13 b. a fee set by the Board which shall not exceed ~~Six~~
14 ~~Hundred Dollars (\$600.00) for a renewal after the~~
15 ~~expiration of a year~~ Five Thousand Dollars (\$5,000.00)
16 after one year of the expiration date.

17 However, an individual whose certificate or license has been
18 ~~expired, surrendered, canceled or~~ revoked for cause for five (5)
19 years or more may not renew the certificate or license. The
20 individual may obtain a new certificate or license by complying with
21 the requirements and procedures, including the examination
22 requirements, for obtaining an original certificate or license.
23 This provision shall not apply to an individual who is licensed to
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1 practice in another jurisdiction for the five (5) years immediately
2 preceding their application for reinstatement.

3 ~~G.~~ F. The Board shall establish rules whereby the registration
4 fee for certified public accountants and public accountants may,
5 upon written application to the Board, be reduced or waived by the
6 Board for registrants who have retired upon reaching retirement age,
7 or who have attained the age of sixty-five (65) years, or who have
8 become disabled to a degree precluding the continuance of their
9 practice for six (6) months or more prior to the due date of any
10 renewal fee. The Board shall use its discretion in determining
11 conditions required for retirement or disability.

12 ~~H.~~ G. All notifications of criminal arrests or charges,
13 disciplinary actions by any other jurisdiction or foreign country,
14 revocation or suspension by enforcement action of any professional
15 credential and all changes of employment or mailing address shall be
16 reported to the Board within thirty (30) calendar days of such
17 changes becoming effective.

18 ~~I.~~ H. At the direction of the Board, a register of registrants
19 may be published in any media format the Board considers appropriate
20 for public distribution.

21 SECTION 5. AMENDATORY 59 O.S. 2011, Section 15.14A, is
22 amended to read as follows:

23 Section 15.14A A. Before any individual may practice public
24 accounting or hold himself or herself out as being engaged in the

1 practice of public accounting as a certified public accountant or
2 public accountant in this state, such person shall obtain a permit
3 from the Oklahoma Accountancy Board, unless such person is granted
4 practice privileges under Section 15.12A of this title. Any
5 individual, corporation or partnership or any other entity who
6 provides any of the services defined hereinabove as the "practice of
7 public accounting" without holding a license and permit, or without
8 holding a certificate and permit, shall be assessed a fine not to
9 exceed Ten Thousand Dollars (\$10,000.00) for each separate offense,
10 unless such person is granted practice privileges under Section
11 15.12A of this title, or such entity is exempt from the permit and
12 registration requirements of Section 15.15C of this title.

13 B. The Board shall promulgate rules establishing the
14 qualifications for obtaining a permit to practice public accounting
15 in this state. Such rules shall include but not be limited to
16 provisions that:

17 1. Any individual seeking a permit must have a valid
18 certificate or license;

19 2. Any individual or entity seeking a permit must be registered
20 pursuant to the provisions of the Oklahoma Accountancy Act;

21 3. Any individual seeking a permit must meet continuing
22 professional education requirements as set forth by the Oklahoma
23 Accountancy Act and rules promulgated by the Board; and

24 4. There shall be no examination for obtaining a permit.

1 C. All such individuals shall, upon application and compliance
2 with the rules establishing qualifications for obtaining a permit
3 and payment of the fees, be granted an annual permit to practice
4 public accounting in this state. ~~Until January 1, 2010, all permits~~
5 ~~issued shall expire on June 30 of each year and may be renewed from~~
6 ~~year to year. Effective January 1, 2010, all~~ All permits issued
7 shall be renewed ~~based on staggered expiration dates~~ on the last day
8 of the individual's birth month in conjunction with the registrant's
9 certificate or license renewal. The Board may issue interim permits
10 upon payment of the same fees required for annual permits.

11 D. Failure to apply for and obtain a permit shall disqualify an
12 individual from practicing public accounting in this state until
13 such time as a valid permit has been obtained.

14 E. The Board shall charge a fee for each individual permit not
15 to exceed ~~One Hundred Dollars (\$100.00)~~ Two Hundred Dollars
16 (\$200.00).

17 SECTION 6. This act shall become effective July 1, 2019.

18 SECTION 7. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

22
23 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, dated
24 03/26/2019 - DO PASS, As Amended.